

**LEGISLATIVE SERVICES AGENCY
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FISCAL IMPACT STATEMENT

LS 6674

BILL NUMBER: SB 183

NOTE PREPARED: Dec 27, 2007

BILL AMENDED:

SUBJECT: Carrying a Handgun Without a License.

FIRST AUTHOR: Sen. Drozda

FIRST SPONSOR:

BILL STATUS: As Introduced

FUNDS AFFECTED: ☒ **GENERAL**
☒ **DEDICATED**
FEDERAL

IMPACT: State & Local

Summary of Legislation: The bill allows a person to carry a handgun without a license while: (1) carrying the handgun unloaded and in a secure wrapper when traveling between the person's dwelling or fixed place of business and a firearms training or safety course or a hunter education or safety course; or (2) attending a firearms training or safety course or a hunter education or safety course.

Effective Date: July 1, 2008.

Explanation of State Expenditures:

Explanation of State Revenues: *Summary:* There could be a slight reduction in arrests for illegal transportation of a handgun to a training course, as described in the bill. As a result, if fewer court cases occur, fine collections would be reduced. Revenue to both the Common School Fund (from fines) and the state General Fund (from court fees) would decrease. Carrying a handgun without a permit constitutes a Class A misdemeanor if not committed under additional aggravating circumstances specified under current law. The maximum fine for a Class A misdemeanor is \$5,000.

Under certain conditions, a violation of handgun carry permit statute (IC 35-47-2-1, the statute affected under the bill) constitutes a Class C felony. An offense becomes a Class C felony if committed on or in school property, within 1,000 feet of school property, or on a school bus. Additionally, a carry violation under IC 35-47-2-1 would be a Class C felony if the offending person has a prior conviction for carrying without a permit or had been convicted of any felony within 15 years before the date of the offense.

Background- For FY 2007, there were 14 commitments to a DOC facility for an IC 35-47-2-1 carry permit violation, of which 13 commitments were for a Class C felony. Although unlikely, it is unknown if any of these commitments resulted from an arrest for transporting a handgun (without a carry permit) to a training course.

Explanation of Local Expenditures: Local jails may experience a minimal reduction in the incarceration of certain violators of current handgun carry permit law. A Class A misdemeanor is punishable by up to one year in jail.

Explanation of Local Revenues: If fewer court actions occur and fewer guilty verdicts entered, local governments would receive less revenue from court fees. However, any change in revenue would likely be small.

State Agencies Affected: Department of Correction.

Local Agencies Affected: Trial courts, local law enforcement agencies.

Information Sources: Department of Correction.

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